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Chairman: Ms. Hallum ..... (New Zealand)

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The meeting was called to order at 10.20 a.m.

Agenda item 160: Measures to eliminate international terrorism (*continued*) (A/54/37, A/54/301 and Add.1; A/C.6/54/2; A/C.6/54/L.2)

1. **Mr. Diaz** (Costa Rica), speaking on behalf of the members of the Central American Group (GRUCA), strongly condemned terrorism in all its forms and manifestations and said that it could not be justified for any political, philosophical, racial, ethnic or religious reason. He also condemned those States and political groups which promoted, supported or financed the commission of terrorist acts, as well as belligerent groups which perpetrated terrorist attacks in clear violation of the provisions of international humanitarian law applicable to armed conflicts, both international and non-international.

2. He expressed particular concern about the campaigns of organized terrorism designed to destabilize democratically elected Governments or to impose extreme ideologies against the wish of the majority of the population. Terrorist attacks which endangered the health or life of a population or its economic development were particularly reprehensible. For that reason, the Central American Group strongly supported the efforts of the international community to prevent, combat and eradicate international terrorism. In that connection, it welcomed the establishment in Vienna of the Terrorism Prevention Branch of the Centre for International Crime Prevention.

3. The Central American Group welcomed the successful conclusion of the negotiations on the draft international convention for the suppression of the financing of terrorism, which struck a balance between the obligation to punish such crimes under the legal system of each State party and the protection of the procedural and fundamental rights of the accused. Particular reference should be made to the balanced system of judicial cooperation and extradition established in the convention. It was to be hoped that it would be possible to adopt the convention at the current session of the General Assembly.

4. He noted with interest the proposal for the preparation of a comprehensive convention on international terrorism and the convening of a high-level international conference to devise a response of the international community to the problem of terrorism, although he realized the legal and political problems raised by both proposals.

5. Lastly, his delegation noted the adoption by the Security Council of resolution 1269 (1999), which demonstrated the Council's concern about terrorist attacks which, because of their exceptional circumstances, constituted a threat to international peace or security. That resolution would be the basis for enhanced cooperation between the Security Council and the General Assembly, within their respective spheres of competence, to combat offences of that type.

6. **Mr. Buhedma** (Libyan Arab Jamahiriya) said that international terrorism in all its forms and manifestations, including State terrorism, was a criminal act which could not in any way be justified. The elimination of international terrorism was a moral duty as well as a legal obligation.

7. The Libyan Arab Jamahiriya, which in the past had been the victim of acts of terrorism committed by other States, had in 1992 requested the convening of a special session of the General Assembly to deal with the problem of terrorism in all its aspects. The General Assembly, where all the members of the international community were represented, was the most suitable forum for dealing with the problem. In that connection, the Libyan Arab Jamahiriya reaffirmed its support for the position adopted in 1998 by the Heads of State of the Movement of Non-Aligned Countries in Durban, which had been reaffirmed at the Summit Meeting of the Organization of African Unity held in Algeria. On that occasion, there had been a request for the convening of an international conference, under United Nations auspices, which would try to evolve a clear and precise definition of terrorism in all its forms and manifestations. In the past 35 years, several international conferences had been held and various conventions had been adopted which had only outlined some specific aspects of terrorism, without adopting a clear and broad legal definition of the phenomenon. Any definition of terrorism should establish a clear distinction between terrorism and armed struggle in self-defence or for self-determination. It was unacceptable to describe as terrorists persons who were defending their independence and freedom, and the term had been applied to leaders of the stature of Nelson Mandela and Robert Mugabe.

8. His country had never been on the side of the tyrants who received support from certain States,

including financing. There was no worse violence than that practised by States. Such State terrorism used violence to destroy and oppress peoples in a manner contrary to international law. Some States also gave sanctuary to terrorists, provided them with weapons, offered them camps and trained them there so that they could then commit acts of terrorism against their own States.

9. The efforts to combat terrorism required cooperation among States, but in practice it was difficult to achieve that objective unless there was a clear definition of terrorism accepted by all States; at least an agreement should be reached on the elements which constituted terrorism. There should also be scrupulous respect for the conventions on terrorism, because they were useless if they were not then respected as had happened in the conflict between the Libyan Arab Jamahiriya and the United States and the United Kingdom in the Lockerbie case, in which the latter two States had refused to respect the 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, as the International Court of Justice had recognized in its judgement of 27 February 1998.

10. The Libyan Arab Jamahiriya welcomed the conclusion of the negotiations on the draft international convention for the suppression of the financing of terrorism, but wished to emphasize the responsibility of the States which financed terrorism and which protected terrorists and gave sanctuary to their leaders and organizations. Those criminal acts should be condemned.

11. The exceptions established in the draft international convention for the suppression of acts of nuclear terrorism weakened it and would make it impossible to tackle the question of nuclear terrorism. The terms of the convention should apply both to natural and to legal persons, including States and international organizations.

12. Some people were trying, for no reason, to link Islam and terrorism; that was another form of terrorism. One wondered who was behind that campaign against Islam and the Muslims. The problem had first arisen in Afghanistan, where those who at one time had been freedom fighters had become terrorists. A definition of terrorism which applied to certain States but not, where convenient, to others was not a good definition.

13. **Mr. Dahab** (Sudan) said that for more than four decades the United Nations had depended on the will of its membership to combat and eliminate terrorism. That political will had been used to prepare conventions on sectoral aspects of terrorism. However, that sectoral approach could not attain its noble objective, unless carried to its logical conclusion.

14. The United Nations had taken steps to criminalize terrorist acts committed by persons, organizations or groups, but the time had come to outlaw terrorist acts committed by officials or agents of States. The danger of State terrorism extended to the security, territorial integrity, stability, well-being and very existence of other States. In view of the magnitude of the problem, it was the bounden duty of the United Nations and its principal organs to deal with State terrorism in the same way and with the same determination with which it would tackle terrorism committed by individuals or groups. It would be advisable to commence with acts of instigation, financing, supplying of weapons and acts of propaganda. In that connection, the General Assembly had already adopted resolutions establishing that States should refrain from organizing, assisting, financing or encouraging terrorist acts or armed acts affecting the stability of States or Governments or interfering in the internal affairs of other States.

15. It was also the duty of the United Nations to tackle the question of the definition of terrorism, since the lack of a definition was fostering impunity. In addition, the lack of a definition had prevented the establishment of international penal arrangements to prevent crimes of terrorism and punish persons and States that committed them. Terrorism was indivisible; there were no tolerable and intolerable terrorist acts. It was the duty of the United Nations, and particularly of the General Assembly, to reactivate the norms and instruments on which the international community had reached agreement and apply them on the basis of justice and equality. The Sudan had signed the International Convention for the Suppression of Terrorist Bombings. With regard to the other instruments to which Sudan was not yet a party, the relevant legislative formalities had already been initiated and, when they were completed, the Sudan would be a party to all the conventions against terrorism currently in force.

16. The Sudan supported the adoption at the current session of the draft international convention for the suppression of the financing of terrorism, although it

believed that the goal of the convention could not be fully met unless its provisions applied to armed conflicts and to State terrorism. He referred in particular to the destruction of the Al-Shifa pharmaceutical plant in Khartoum in 1998. That was an obvious case of State terrorism, in which a powerful country attacked a weaker one. Mention should also be made of the attack perpetrated in 1999 against a pipeline in the north-east area of the city of Atbara by a group which enjoyed the full support of the United States, according to statements by the United States Secretary of State herself. Those incidents confirmed once again the need fully to implement the letter and spirit of the international instruments and to increase cooperation among States.

17. **Mr. Biato** (Brazil) said that States should coordinate their action against terrorism, which was linked to other criminal activities such as illegal trafficking in weapons and narcotics. For that reason, the member States of the Organization of American States (OAS) had adopted the 1996 Lima Declaration and Plan of Action and the 1998 Commitment of Mar del Plata, in order to establish an institutional framework for the development of cooperation to combat terrorism. At the international level, mention should be made of the adoption by the United Nations General Assembly of the 1994 Declaration on Measures to Eliminate International Terrorism and the 1996 Supplementary Declaration. In that connection, Brazil hoped that it would be possible shortly to adopt the draft international convention for the suppression of acts of nuclear terrorism and the draft international convention submitted by France for the suppression of the financing of terrorism.

18. Terrorism preyed on the feelings of frustration and despair of certain sectors of the population. For that reason, in addition to suppressing terrorism, it was necessary to analyse its causes. The time had come to deal with the question of the preparation of a comprehensive convention on international terrorism, as specified in General Assembly resolution 53/108.

19. **Mr. Traore** (Burkina Faso) said that his country had been active in the preparation and adoption of various international instruments within the framework of the Organization of African Unity (OAU), the Organization of the Islamic Conference (OIC) and the United Nations. It also supported the draft international convention for the suppression of the financing of terrorism and the draft international convention for the suppression of acts of nuclear terrorism. Some provisions in the latter draft were unacceptable, because they allowed for the possibility of armed forces committing acts of nuclear terrorism during an outbreak of war. Burkina Faso therefore considered that military activities should not be excluded from the sphere of application of the convention.

20. Terrorism must be defined if it was to be combated; that presupposed the existence of a common political conception, a similarity of legal systems and a distinction between terrorist acts and common crimes. That was a difficult task which must be tackled.

21. **Mr. Do Nascimento** (Angola) said that many instruments adopted under the auspices of the United Nations to combat terrorism had proved inadequate, since terrorists were using increasingly sophisticated methods. That had resulted in a huge loss of life throughout the world. Terrorism, which was trying to exert pressure on Governments and acquire international legitimacy, was using as a pretext the need to protect a particular ethnic or social group in order to achieve its goals, which in many cases were linked to the activities of transnational organized crime.

22. Efforts to combat terrorism at the national level must be complemented by international cooperation, which was the only way of depriving terrorists of the basis for preparing their activities. It was therefore worrying that some countries accepted in their territory members of terrorist groups, such as the military wing of UNITA, in blatant violation of the relevant resolutions of the Security Council.

23. The fight against terrorism should also tackle its sources of financing, and his delegation therefore agreed with the text of the draft international convention for the suppression of the financing of terrorism, although it had certain shortcomings. In any case, since that instrument alone was not sufficient, his delegation endorsed the Indian proposal concerning the preparation of a comprehensive convention on international terrorism and the proposal of the Movement of Non-Aligned Countries concerning the convening in 2000 of an international conference on that phenomenon. At the regional level, Angola supported the adoption of an African convention against terrorism.

24. **Mr. Kolev** (The former Yugoslav Republic of Macedonia) said that his country unequivocally

condemned all acts of terrorism, irrespective of motive, wherever and by whomever committed, as stated in Security Council resolution 1269 (1999). In addition, the former Yugoslav Republic of Macedonia shared the views of the European Union and the associated countries that all acts of terrorism were criminal and unjustifiable, and was therefore determined to tackle that scourge as part of its efforts to promote peace and stability in South Eastern Europe and throughout the world and in line with its aspirations for integration into the Euro-Atlantic structures.

25. His delegation supported the working document submitted by France on the draft international convention for the suppression of the financing of terrorism, since it was crucial to deprive terrorists of the financial resources which they needed to perpetrate their actions. It also hoped that the preparation of the draft international convention for the suppression of acts of nuclear terrorism would soon be successfully concluded.

26. The former Yugoslav Republic of Macedonia was a party to seven international conventions pertaining to international terrorism, including the latest one, the International Convention for the Suppression of Terrorist Bombings, and was considering the possibility of acceding to the remaining international instruments adopted on that subject.

27. The former Yugoslav Republic of Macedonia welcomed the proposal of the Movement of Non-Aligned Countries for the convening of a conference on international terrorism and the Indian proposal for the preparation of a comprehensive convention against international terrorism, since a collective response was required to that scourge.

28. **Mr. Inam-ul-Haque** (Pakistan) said that his country condemned State terrorism, which was the most ignoble and reprehensible form of terrorism, since it involved the brutal use of State power to subjugate peoples and deprive them of their right to self-determination. The United Nations had reaffirmed in numerous resolutions the right to self-determination of all peoples, in particular the peoples under colonial domination or other forms of alien domination or occupation and had upheld the legitimacy of the struggle of the national liberation movements, in accordance with the principles of its Charter. It was therefore not surprising that those liberation movements were depicted as "terrorist" by those who sought to impose their will on the population of certain territories, such as Palestine and Jammu and Kashmir. In that connection, reference should be made to the countless sacrifices of the Kashmiri people, whom India was depriving of the right to decide its own future, in violation of the resolutions adopted by the Security Council on that question. The acts of State terrorism committed by India in Kashmir had caused the deaths of over 65,000 innocent Kashmiri men, women and children, but the international community remained a silent spectator. Pakistan itself had been the victim of acts of international terrorism committed from a neighbouring State, which had resulted in the loss of thousands of lives and damage to property.

29. There was an unfortunate tendency on the part of certain sections of the media to identify terrorism with a particular religion. Even random acts of violence involving Muslims were immediately dubbed Islamic fundamentalist terrorism, whereas such stereotypes were not applied to acts perpetrated by individuals belonging to other religious faiths.

30. His delegation believed that the draft international convention for the suppression of the financing of terrorism must define terrorism by differentiating it from the legitimate struggle of liberation movements, and must include the concept of State terrorism.

31. Referring to the draft international convention for the suppression of acts of nuclear terrorism, he said that the fact that article 4 of the draft excluded the activities of armed forces from the scope of the convention was tantamount to condoning State terrorism. His Government therefore agreed with the Movement of Non-Aligned Countries that the article should be deleted.

32. His Government supported the idea of an international conference on terrorism, to be held under United Nations auspices, and was not averse to the idea of a comprehensive convention on international terrorism, although it would first be necessary to define what was meant by terrorism.

33. **Mr. Sharma** (India) said that terrorism was the great global menace of the age, the antithesis of all that the United Nations represented and a violation of the basic precepts of democracy and civilized living. It was also a grave threat to international peace and security, particularly when terrorists were armed, financed and backed by Governments or their agencies and enjoyed

the protection of State power. For over a decade, India had been subjected to a sustained campaign of cross-border terrorism, which had taken the lives of thousands of citizens and ruined countless others.

34. India was a party to all the multilateral conventions on international terrorism, had ratified the International Convention for the Suppression of Terrorist Bombings and had acceded to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol on Fixed Platforms and to the Convention on the Marking of Plastic Explosives for the Purpose of Detection.

35. The Declaration on Measures to Eliminate International Terrorism had been the first significant step taken by the United Nations in the fight against terrorism. In accordance with the Declaration, States must ensure that their territories were not used for terrorist installations or training camps or for the preparation or organization of terrorist acts against other States or their citizens. Unfortunately, some States were flouting that Declaration and continuing to finance and provide arms to terrorists. It was necessary to implement the Declaration sincerely and to put into practice the standards set in it.

36. India had supported the establishment of the Ad Hoc Committee on terrorism, with the mandate of elaborating a convention for the suppression of terrorist bombings, a convention for the suppression of acts of nuclear terrorism and, finally, a comprehensive legal framework. It had also supported France's proposal regarding a draft convention for the suppression of the financing of terrorism, on the understanding that the next item to be taken up by the Ad Hoc Committee would be India's proposal for a comprehensive international convention.

37. India hoped that the convention for the suppression of the financing of terrorism would be broader in scope and contain more direct provisions to prevent and suppress at the very earliest stage the financing of all preparations for the commission of terrorist acts. However, it supported the recommendation of the Working Group that the Sixth Committee should approve the draft and submit it to the General Assembly for adoption.

38. Almost all the meetings recently held at the level of Heads of State or Government or Ministers for Foreign Affairs had called for the strengthening of the international legal framework for the suppression of terrorism. For example, the Twelfth Conference of Non-Aligned Countries, held in Durban in 1998, had called for the urgent conclusion and the effective implementation of a comprehensive international convention for combating terrorism. The Heads of State and Government of the member States of the Organization of African Unity, meeting in July 1999, had adopted the Algiers Declaration, which had called for effective international cooperation to combat terrorism through the speedy conclusion of an international convention for the prevention and control of terrorism in all its forms and the convening of an international summit conference under the auspices of the United Nations. The First Summit of Heads of State and Government of Latin America and the Caribbean and the European Union, held in Rio de Janeiro in June 1999, had adopted a set of "Priorities for Action", in which they had undertaken to intensify international cooperation to combat terrorism on the basis of the principles of the United Nations, to promote the signature and ratification of the conventions and protocols of the United Nations and to strengthen the international legal framework on the subject, supporting the elaboration of instruments to fight terrorism. The Foreign Ministers of the Commonwealth of Independent States, meeting in Yalta in October 1999, had issued a statement calling for compliance with international conventions against terrorism and strengthening of the international legal system in that sphere. On the basis of that global consensus, the time had come to proceed to the third stage: the preparation of a comprehensive convention on international terrorism.

39. **Mr. Thayeb** (Indonesia) expressed support for the statement made by the delegation of Zimbabwe on behalf of the non-aligned countries and said that those countries, in the Final Communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegation, on 23 September 1999, had called for an international summit conference to be held under the auspices of the United Nations in order to formulate a joint response of the international community and to conclude the preparation and effective implementation of a comprehensive convention on terrorism.

40. Indonesia had consistently reiterated its condemnation of terrorism in all its forms and manifestations, since it violated the fundamental rights of peoples and undermined the law and order of nations. There were no circumstances in which the

killing of innocent civilians and the destruction of property could be justified. Those criminal acts should not be allowed to become an accepted aberration of the international order. Indonesia believed that only concerted action could remove that menace and the enhancement of cooperation was one of the most effective means to eradicate terrorism at all levels — national, regional and international. Also important was the scrupulous implementation of all the relevant international and bilateral instruments, including the document of the United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Cairo in 1995. Indonesia had ratified several multilateral agreements relating to international terrorism: the Convention on Offences and Certain Other Acts Committed on Board Aircraft; the Convention for the Suppression of Unlawful Seizure of Aircraft; and the Convention on the Physical Protection of Nuclear Material.

41. The non-aligned countries had consistently stressed that international cooperation to combat terrorism should be conducted in conformity with the principles of the United Nations Charter, international law and relevant international conventions and were opposed to selective and unilateral acts which violated the principles and purposes of the United Nations Charter.

42. His delegation reiterated that all efforts in that direction should be guided by the Charter of the United Nations, the relevant decisions of the General Assembly, the Movement of Non-Aligned Countries, the Organization of the Islamic Conference and the Organization of African Unity. In that way, it would be possible to arrive at comprehensive and effective measures to strengthen the capacity of nations for concerted action against international terrorism.

43. **Mr. Cousineau** (Canada) said that the draft international convention for the suppression of the financing of terrorism was an indispensable tool which addressed one critical aspect of the problem. The draft linked the various anti-terrorism conventions by criminalizing activities which made terrorism possible. It also provided a mechanism for international cooperation in response to terrorism.

44. All countries recognized the serious threat posed by terrorism to the political, social and economic stability of States and the need to develop an effective international legal framework to address that threat. The draft convention constituted an effective tool and provided an occasion to translate words into deeds. It was necessary to build on the consensus achieved after intense negotiations in order to adopt the convention and send a strong signal that terrorist activities and the activities of those who financed and supported them would not be tolerated.

45. His delegation was concerned at the limited progress achieved in the solution of the outstanding difficulties in respect of the draft international convention for the suppression of acts of nuclear terrorism. As had been noted, the problem was political rather than legal. It was to be hoped that delegations would give due consideration to the seriousness of the threat posed by acts of nuclear terrorism and the importance of establishing a mechanism to prevent incidents of that nature.

46. Canada had consistently advocated the strongest possible measures against terrorism and had ratified almost all the anti-terrorism conventions. The pragmatic approach followed by the United Nations in negotiating international conventions dealing with specific aspects of terrorism had yielded very positive results and had allowed the international community to set up a comprehensive legal framework to combat terrorism effectively, without delving into the very sensitive and potentially counter-productive question of the nature of terrorism.

47. The proposal to hold an international conference on terrorism put forward by Egypt also presented certain challenges, since it could precipitate an unfortunate debate on politicized questions which would ultimately not promote the common goal.

48. **Mr. Galicki** (Poland) said that his country endorsed the statement made by the representative of Finland and supported the international efforts designed to suppress terrorist activities through the elaboration, adoption and application of appropriate legal and practical measures. Poland had signed 11 international and regional conventions for the prevention and suppression of international terrorism, because it considered those instruments as the most useful tools for combating that phenomenon. At the same time, it recognized the importance of further development of such international instruments and believed that the international convention for the suppression of the financing of terrorism could have a positive impact on the elimination of all forms and

manifestations of international terrorism, by eliminating the economic basis for terrorist activities. The draft should be adopted as soon as possible — in other words, during the current session — and its adoption could stimulate the elaboration and adoption of other relevant international legal instruments, particularly the convention for the suppression of acts of nuclear terrorism. Since the obstacle preventing the adoption of that convention was essentially a political and not a legal one, efforts should be made to remove it as soon as possible and to find a solution acceptable to all delegations.

49. Poland was fully aware of the transnational scope of terrorist activities and of their financing. Effective action therefore required a coordinated response from the international community. However, optimism would be misplaced, since a significant number of States did not have appropriate and sufficient anti-terrorist legislation and had not acceded to the relevant conventions and protocols. They should again be urged to join the concerted action of the international community against terrorism, which posed a serious challenge to all nations.

50. The Polish delegation welcomed the establishment of the Terrorism Prevention Branch of the Centre for International Crime Prevention in Vienna, which would deal with the practical aspects of efforts to combat terrorism. The review of the possibilities existing within the United Nations system for assisting States to organize workshops and training courses on the prevention of international terrorism would provide a basis on which to develop international cooperation in that field and combine legislative and practical measures.

51. **Ms. Pipan** (Slovenia) said that, since the issue of international terrorism had first been brought before the General Assembly in 1972, the international community had been adopting measures to combat that global scourge. The 11 international conventions against specific terrorist acts represented a solid legal framework for international cooperation and contained a number of important principles. As the number of brutal terrorist acts increased, it became all the more urgent for the international community to reaffirm its unified stand against terrorism. Apart from universal adherence to the existing international conventions and to those adopted at the regional level, there was a need to adopt new legal instruments in order to fill any lacunae which might exist. In that connection, Slovenia had endorsed the statement made by the representative of Finland and supported the adoption during the current General Assembly session of the convention for the suppression of the financing of terrorism. That convention would reflect the will of the international community to deprive terrorist organizations of their resources and thus curb their activities. It was also necessary to accelerate the negotiations on the draft convention for the suppression of acts of nuclear terrorism. The early adoption of those two instruments would confirm the determination of the international community to suppress terrorism and would serve as a basis for future codification of anti-terrorist instruments.

52. International terrorism could and should be combated solely within the framework of international law, which included humanitarian and human rights law. When acts of terrorism reached proportions or had effects that made them comparable with the use of force prohibited by the Charter of the United Nations, the question of lawful countermeasures might arise. In that case, the criteria established in international law should be considered, including those of necessity and proportionality of response.

53. Slovenia was a party to seven of the eleven international anti-terrorist conventions and had begun the national legislative proceedings for accession to the remaining conventions. It had also signed the Convention for the Suppression of Terrorist Bombings and would ratify it shortly. The Government of Slovenia unequivocally condemned terrorism in all its forms and manifestations, whatever its motives and origins, wherever and by whomever committed, confirmed its determination to participate in the fight against terrorism by legitimate and lawful means consistent with human rights and the rule of law, and supported the efforts for the further development of a comprehensive legal framework to combat terrorism.

54. **Mr. Mukongo** (Democratic Republic of the Congo) said that international terrorism was an extremely serious issue which required concerted action by the international community, whose participation in the struggle against terrorism depended on the commitment of each State to respect and apply fully at the national level the relevant international conventions. The Congolese Penal Code contained no explicit definition of terrorism, but the Democratic Republic of the Congo had consistently pursued a policy of suppression of international terrorism at all

levels. At the domestic level, it strictly regulated the arms trade and the carrying of weapons. At the international level, it had ratified or signed a number of multilateral conventions on international terrorism. That all proved its commitment and determination to join in the efforts of the international community to combat that scourge. If it had not been for the aggression by the coalition of Rwandan, Ugandan and Burundian armies, which was hampering the process of national reconstruction initiated after liberation in 1997, the Democratic Republic of the Congo would have already signed and even ratified the other instruments designed to combat international terrorism, such as the International Convention for the Suppression of Terrorist Bombings.

55. The draft international convention for the suppression of the financing of terrorism was a quite balanced text on which the Sixth Committee could reach a consensus, although its current version obviously still had some shortcomings.

56. Considerable progress had been made in the consideration of the draft convention for the suppression of acts of nuclear terrorism. It should be recognized that it was an important complement to the earlier conventions and an effective legal framework for combating and discouraging terrorist acts. It was important for the Committee to conclude work on that draft, but it was also important for the draft to cover one of the most essential aspects — the activities of armed groups — in order to meet the concerns of all delegations. Unless the international community was to abandon its mission of combating that scourge in all its aspects and manifestations, his delegation believed that the activities of armed forces were one of the most important aspects of the convention's sphere of application. Although it acknowledged the complexity of the issue, his delegation considered that generalized violations of the rules of international humanitarian law that killed and seriously injured innocent civilians were impermissible.

57. The disagreement on the scope of the convention revealed the serious problem created by the diversity of views about the very concept of terrorism. For some, terrorism was acts perpetrated by individuals or isolated groups; for others, on the contrary, it was organized acts which some States used as a political instrument and which had more serious consequences. That was the type of international terrorism committed by the national armies of Rwanda, Uganda and Burundi against the peaceful Congolese population with complete impunity. By those acts of terror, the aggressors had violated, firstly, the sovereignty and territorial integrity of a member State of the United Nations and of the Organization of African Unity and, secondly, the basic norms and principles of international humanitarian law and the fundamental rights of the Congolese citizens.

58. His delegation expressed support for India's proposal concerning the adoption of a comprehensive definition of terrorism and the elaboration of a detailed and comprehensive convention reflecting the spirit of the Twelfth Conference of the Movement of Non-Aligned Countries held in Durban in 1998, at which the member States had reaffirmed their willingness to refrain from organizing or facilitating acts of terrorism in the territories of other States and from participating in them. Only in those circumstances would it be possible to respond to the General Assembly's request for the convening of a high-level conference in 2000 to formulate an appropriate response by the international community to terrorism in all its forms and manifestations.

59. **Mr. Wenaweser** (Liechtenstein) said that acts of terrorism continued to pose a very serious threat to societies throughout the world. Targeting innocent civilians, they were aimed at the very basis of democratic processes and were intended to undermine political solutions and negotiated peace efforts and to threaten the enjoyment of human rights. Recently, the international dimensions and ramifications of terrorism had become more significant and more obvious. It was thus important that the international community had stepped up its efforts to eliminate international terrorism and had responded collectively to particular instances of terrorism. There could be no doubt that international cooperation, especially through mutual legal assistance, was an indispensable means to suppress terrorism.

60. Although the Security Council had already established a link between terrorism and international peace and security in particular cases, it had in resolution 1269 (1999) dealt with the problem in a general manner. That resolution, explicitly based on the work done by the General Assembly, was a reaffirmation of the political will of the international community to join forces to combat terrorism. Liechtenstein echoed the condemnation of terrorism in

all its forms and manifestations and by whomever committed.

61. The Sixth Committee was the appropriate body to deal with the problem of terrorism in all its aspects and the Ad Hoc Committee established by resolution 51/210 had efficiently discharged its mandate with regard to the draft convention for the suppression of the financing of terrorism. The strengthening of international cooperation to suppress and prevent financial transactions in support of terrorism was a crucial element of the overall plan to combat international terrorism. While political will had sometimes prevailed over legal exactitude in the negotiations and the outcome was probably not ideal for any delegation, it would be unwise and counter-productive to reopen the discussion of the text submitted by the Working Group. With regard to the draft convention on nuclear terrorism, it was obvious that the remaining issue was political rather than legal in nature, which was why a broader debate on the draft was necessary. His delegation supported the ongoing efforts to bring those discussions to a successful conclusion and looked forward to the work of the Ad Hoc Committee on a comprehensive legal framework and its discussions on the convening of a conference on that subject.

62. Although the international consensus had produced important positive results, there had also been some less welcome developments in the international debate, particularly with regard to the relationship between terrorism and human rights. From a legal perspective, Liechtenstein continued to oppose the notion that terrorists committed human rights violations. That notion, even contained in some General Assembly resolutions, gave an unwarranted status to individual terrorists and terrorist groups. The issue, which was basically a legitimate one, should be considered in the broader context of the question of non-State actors, which was acquiring increasing importance in many areas of United Nations activity. Furthermore, it should be recalled that, since there was no justification for terrorist acts, the fight against terrorism could never be invoked to justify human rights violations, as was unfortunately done in ...any instances. All efforts to combat national and international terrorism should respect the norms of international law, particularly those relating to human rights. One important principle was that terrorist offences were punishable regardless of the causes or motives of the perpetrators. For that reason, the term "terrorism" and its derivatives must be used in a responsible manner and not as a wholesale label for political reasons. Those who targeted civilian populations in the name of the fight against terrorism were not only disregarding international humanitarian and human rights law but were ultimately doing a disservice to the international fight against terrorism.

63. **Mr. Hanson-Hall** (Ghana) said that terrorist acts were totally unacceptable as a means of seeking redress, achieving political ends or supporting a cause. Not only did terrorist acts provoke political instability and disrupt economic and social development; they also constituted a danger to international peace and security. Ghana therefore believed that all States were obligated to strengthen international cooperation and to adopt effective measures to prevent, combat and eliminate international terrorism.

64. Ghana hoped that it would soon be possible to finalize the draft international convention for the suppression of acts of nuclear terrorism. Although it was aware of the divergent views among delegations, his delegation believed that the ominous possibility of nuclear terrorism should make all delegations which saw nuclear terrorism as a real threat join forces to ensure that an appropriate convention was negotiated.

65. The draft international convention for the suppression of the financing of terrorism would supplement existing instruments on money laundering. Although some of its provisions posed problems, after reflecting on the main advantages of the draft, his delegation would fully support the adoption of the text, in a desire to eliminate the means of financing of terrorism. With regard to the future work of the Ad Hoc Committee, the draft comprehensive convention on international terrorism proposed by India was a reasonable basis for negotiations.

66. **Mr. Alabrune** (France) said that he wished to make some comments on the draft international convention for the suppression of the financing of terrorism. Firstly, that instrument undoubtedly responded to an urgent need of the international community, demonstrated by the unanimously favourable reaction to the proposal made by France the previous year. Secondly, the Ad Hoc Committee and the Working Group had worked hard and well; all written or oral proposals had been studied carefully and

the result had been a balanced, rigorous and particularly comprehensive text.

67. Thirdly, the draft should be adopted since it met the wishes of the vast majority of delegations, even if some found it to be imperfect. The fourth reason would be the recommendation made by the Chairman of the Ad Hoc Committee and of its Working Group, Mr. Philippe Kirsch, who had stated that the text approved was the best one possible and had warned against reopening the negotiations. In view of Ambassador Kirsch's experience, that recommendation had not been made lightly.

68. The efforts to combat terrorism required not only speeches but also action and decision. France was aware that those prerequisites existed and that they might not occur again. Indecisiveness might be interpreted as a sign of weakness in the face of the scourge of terrorism, and no delegation wanted to send that signal. France therefore hoped that it would be possible to approve the draft without a vote.

69. **Ms. Kalema** (Uganda) regretted that accusations had been levelled against her country at a time when new and promising developments were taking place in the Great Lakes region. Those accusations did not augur well for the peace process. Uganda had become involved in the conflict in the Democratic Republic of the Congo for security reasons, but the authorities were determined to continue to seek a peaceful solution to the conflict in the region. For that purpose, on 10 July 1999, a meeting had been held in Lusaka between six Heads of State (those of the Democratic Republic of the Congo, Namibia, Rwanda, Angola, Zimbabwe and Uganda), who had signed an agreement for the cessation of hostilities between all the belligerent forces in the Democratic Republic of the Congo. The rebel forces had signed the agreement on 1 August and 31 August 1999. The agreement had recognized the need to address the security concerns of the Democratic Republic of the Congo and its neighbouring countries and to initiate a dialogue for reconciliation between the Government and the rebel forces.

70. Following the signature of the Lusaka Agreement, a Joint Military Commission had been established and had commenced work. In addition, in resolution 1258 (1999) the Security Council had authorized the deployment of up to 90 United Nations military liaison personnel, together with the necessary civilian, political, humanitarian and administrative staff, in the capitals of the States signatories of the Ceasefire Agreement and the provisional headquarters of the Joint Military Commission and, as security conditions permitted, to the rear military headquarters of the main belligerents in the Democratic Republic of the Congo and, in due course, to any other areas the Secretary-General might deem necessary.

71. The first group of 90 liaison officers responsible for preparing for the Observation Mission in the Democratic Republic of the Congo had arrived in Nairobi on 7 September. Furthermore, some countries had also indicated their willingness to provide military personnel for the peacekeeping operation in the Democratic Republic of the Congo. Nevertheless, some obstacles persisted, including financing. The politicization of that question, in the light of all the efforts made by leaders in the region, was not helping the peace process.

72. Uganda reaffirmed its commitment to the peaceful resolution of the conflict in the Democratic Republic of the Congo and to the swift and full implementation of the Lusaka Agreement. It condemned all acts of terrorism and supported all efforts to combat terrorism at the international and national levels.

73. **Mr. Mukongo** (Democratic Republic of the Congo), speaking in exercise of the right of reply, said that the Ugandan Army, which had installed itself in the territory of the Democratic Republic of the Congo, despite the agreements signed, had killed about 60 Congolese civilians in reprisal for attacks allegedly committed by certain armed groups known only to that Army. That showed the bad faith of a country which was totally opposed to peace in the Democratic Republic of the Congo and which was engaged in looting the latter's riches. There was no need to recall the fighting in the streets of the Congolese city of Kisangani, where the armies of Rwanda and Uganda had clashed and thousands of Congolese had been killed. All those facts were well known to the international community and there was no need to repeat them.

Agenda item 159: Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (*continued*) (A/C.6/54/L.11)

74. **Mr. Gomaa** (Egypt), introducing the draft resolution, said that as a result of the consultations held it had been agreed to introduce in paragraph 3 (a) an amendment which simplified the text. The second amendment consisted of the inclusion of a new subparagraph (f) in paragraph 3. The last amendment concerned paragraph 4.

75. He proposed the deletion of the eighth preambular paragraph and of paragraph 3 (e), which both dealt with the increase in the workload of the International Court of Justice and the strengthening of the Court, since the Committee had adopted a resolution on the subject which appeared in document A/C.6/54/L.5.

76. He also proposed the deletion of the concluding phrase in paragraph 5, since it was repeated in the new paragraph 3 (f). The phrase in question read: "and to continue considering ways and means of improving its working methods".

77. **Mr. Kolev** (The former Yugoslav Republic of Macedonia) said, with reference to paragraph 3 (a), that a way should be found to prevent the continuing marginalization of the General Assembly and to enable the Assembly to deal with questions relating to international peace and security, in accordance with Articles 10 and 11 of the Charter of the United Nations. The only way to do so was to start a discussion on the reorganization of the work of the Assembly; that would require the transfer of greater powers to the General Assembly. In addition, the Assembly would have to work throughout the year, as did national parliaments. For that reason, his delegation had in the informal consultations proposed an amendment to paragraph 5. However, in view of the pragmatic views in favour of approval of the existing text, it had decided not to insist on the amendment.

78. **Mr. Tarabrin** (Russian Federation), speaking in explanation of position, said that the text appropriately reflected the work priorities of the Special Committee and the goal of enhancing the efficiency of that organ's activities. With regard to the Special Committee's 2000 session, his delegation assumed that the period specified in the draft resolution, which would mean reduction of the duration of the session to one week, was determined by the huge workload of the United Nations legal organs in 2000 and would not set a precedent for the future. With that proviso, it could join in the consensus.

79. **The Chairman** said that, if she heard no objection, she would take it that the Committee wished to adopt the draft resolution, as orally revised, without a vote.

80. *It was so decided.*

The meeting rose at 1.10 p.m.